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PATENT
Attorney Docket No.: 020375-043700US

TOWNSEND and TOWNSEND and CREW LLP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Justin Monk

Application No.: 10/694,924

Filed: October 27, 2003

For: METHODS AND SYSTEMS FOR
MANAGING INTEGRATED CREDIT
AND STORED-VALUE PROGRAMS

Customer No.: 20350

Confirmation No.: 5090

Examiner: Shumate, Paul W.

Art Unit: 3693

**STATEMENT OF REASONS IN
SUPPORT OF PRE-APPEAL BRIEF
REQUEST FOR REVIEW**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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Sir:

This statement is submitted in support of the Pre-Appeal Brief Request for Review, submitted herewith. A Notice of Appeal was also filed herewith. The Applicant respectfully requests review of a Final Office Action mailed May 29, 2008.

REMARKS/ARGUMENTS

The Applicant respectfully requests review of the rejection of all pending claims for at least the reasons stated in response to the last Office Action dated May 29, 2008 and further for the reasons stated below. All arguments stated in the response to the last Office Action dated May 29, 2008 should be considered incorporated herein.

The Examiner, in the Advisory Action dated August 20, 2008 (hereinafter “Advisory Action”), provides a description to the cited references that does not exist. The Examiner states that Jimenez teaches “the single identifier is the card account number found on the face of the card (*see at least Figures 1-14 and paragraphs 0015, 0026*), the account directly accessed in order to fund bank card transactions is the customer’s debit or credit account, and *the account directly accessed to fund phone card transactions is a temporary phone card account, which is different than the customer’s credit or debit account, that has been loaded with funds from the customer’s credit or debit account (see at least paragraphs 0042, 0044).*” *See Advisory Action, Continuation Sheet (PTO-303).*

Jimenez does not teach what the Examiner states. Jimenez does not mention a temporary phone card account or loading funds into the phone card account. Rather, the phone call is paid directly from the credit or debit account; there is no mention of another account storing funds or minutes. Indeed, by reviewing the description completely (without taking the description out of context by citing only a couple of small paragraphs, it is easy to see that the reference does not include the information the Examiner suggests.

[0033] When the present invention 11 is used for telephone transactions, the card holder U would simply activate a processing hub 22 having conventional features including a central processor, area of main memory, and random access memory. A suitable hub 22 for use with the present invention is described in U.S. Pat. No. 6,000,608, which is hereby incorporated by reference. The method of the using the bank/phone card 11 comprises the following steps:

[0034] (1) The cardholder U dials a toll free number, e.g., a 1-800 number, connecting the cardholder U to the central processing hub 22.

[0035] (2) The processing hub 22 prompts the cardholder for his account number.

[0036] (3) The cardholder enters his account number.

[0037] (4) The processing hub 22 prompts the cardholder for his PIN number.

[0038] (5) The cardholder enters his PIN number.

[0039] (6) The processing hub 22 prompts the cardholder for the number he wishes to dial.

[0040] (7) The processing hub 22 makes contact with the phone company sponsor.

[0041] (8) The hub 22 requests billing information from the phone company and determines the cost C for a call to that number for a predetermined amount of time T.

[0042] (9) The hub 22 accesses the sponsor bank 26 and determines if there are sufficient funds in the cardholder account designated by the cardholder account number, to cover the cost determined in step 8 and then transfers that amount to a temporary account.

[0043] (10) The hub 22 signals the phone company to place the call.

[0044] (11) Just prior to the expiration of the time period T the hub 22 contacts the sponsor bank 26 and determines if the cardholder U has sufficient funds to cover the cost C determined in step 8 and transfers that amount to the temporary account. *See U.S. Patent Application 10/197,493 to Jimenez, filed July 18, 2002, ¶¶ [0033] – [0044].*

As can be plainly seen, there is no step for loading funds into a phone card account. Indeed, a review of the rest of Jimenez will show that the reference does not include this purported description. For at least this reason, the final rejection should be dismissed.

Todd also does not provide the description purported by the Examiner. Indeed, the Examiner states that “the identifier used in the user record to distinguish one user’s record from another user’s record is also a single identifier used to access funds from either the user’s credit/debit account or the multiple reward account records.” *See Advisory Action, Continuation Sheet (PTO-303).* There is no mention in any of the sections cited by the Examiner of accessing funds with the user’s record identifier. Indeed, to make such a claim is mere supposition. It cannot even be said that a transaction account and a rewards account, in the user record, are identified with a single identifier. Todd only provides that “Each rewards record *is associated with one of the accounts . . .*” *See U.S. Patent Application 09/957,044 to Todd, filed*

September 21, 2001, ¶ [0032]. An association can be created in many ways, including a pointer or software link between records. As such, the accounts are not identified with a single identifier, much less, accessed by a single identifier. For at least this reason, the final rejection should be dismissed.

Thus, for the above reasons and those contained in the response to the last Office Action dated May 29, 2008, the Final rejection should be dismissed and the application allowed.

Respectfully submitted,

Date: September 22, 2008



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